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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/536,714
Applicant : DEBRUYNE, ET AL.
Filed : MAY 27, 2005
Title : COCHLEAR IMPLANT DRUG DELIVERY DEVICE

Art Unit : 3738
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0149-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Cover Letter (1 page)
- ☒ Information Disclosure Statement (2 pages)
- ☒ Forms SB08a and b (2 pages)
 - o With fourteen (14) non-patent citations
- ☒ Patent Fee Transmittal Form for FY 2007 (1 page)

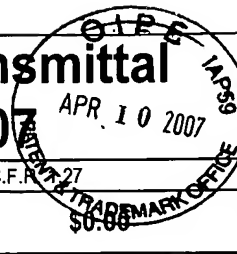
Respectfully submitted,

Michael G. Verga
Registration Number 39,410
Customer Number: 22,506
Tel.: (703) 563-2005

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

April 10, 2007

Patent Fee Transmittal for FY 2007



☐ Applicant(s) Claims Small Entity Status 37 C.F.R. 1.492

TOTAL AMOUNT OF PAYMENT

\$0.00

Application No. 10/536,714
Filing Date 27-May-05
Named Inventor DEBRUYNE, Kristine
Examiner Name To be assigned
Art Unit 3738
Attorney Docket No. COCH-0149-US1

FEE CALCULATION

1. Filing Fees

Application Type	Description	Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Utility	<input type="checkbox"/> Basic	1011	300	2011	150	\$ -
	<input type="checkbox"/> Examination	1311	200	2311	100	\$ -
	<input type="checkbox"/> Search	1111	500	2111	250	\$ -
Design	<input type="checkbox"/> Basic	1012	200	2012	100	\$ -
	<input type="checkbox"/> Examination	1312	130	2312	65	\$ -
	<input type="checkbox"/> Search	1112	100	2112	50	\$ -
Plant	<input type="checkbox"/> Basic	1013	200	2013	100	\$ -
	<input type="checkbox"/> Examination	1313	160	2313	80	\$ -
	<input type="checkbox"/> Search	1113	300	2113	150	\$ -
Reissue	<input type="checkbox"/> Basic	1014	300	2014	150	\$ -
	<input type="checkbox"/> Examination	1114	600	2114	300	\$ -
	<input type="checkbox"/> Search	1314	500	2314	250	\$ -
Provisional	<input type="checkbox"/> Basic	1005	200	2005	100	\$ -
National Stage	<input type="checkbox"/> Basic	1631	300	2631	150	\$ -
	<input type="checkbox"/> Examination	1633	200	2633	100	\$ -
	<input type="checkbox"/> Search	1632	500	2632	250	\$ -

2. Extra Claim Fee

a. Claims as Filed		Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Total Claims	0 - 20 = 0	1201	50	2201	25	\$ -
Independent	0 - 3 = 0	1202	200	2202	100	\$ -
Multiple Dependent		1203	360	2203	180	\$ -
b. Claims as Amended		Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Total Claims	17 - 17 * = 0	1201	50	2201	25	\$ -
Independent	4 - 4 ** = 0	1202	200	2202	100	\$ -
First Presentation of Multiple Dependent		1203	360	2203	180	\$ -

3. Extra Page Fee

Total Pages		Extra Pages		Code	(\$)	Code	(\$)	Paid
0	-100	0	x	1081	250	2081	125	\$ -
Subtotal for Application Fees								
1	\$ -	+	2	\$ -	+	3	\$ -	= \$ -

4. Additional Fees

Description	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Extension for response first month	1251	120	2251	60	\$ -
Extension for response second month	1252	450	2252	225	\$ -
Extension for response third month	1253	1,020	2253	510	\$ -
Extension for response fourth month	1254	1,590	2254	795	\$ -
Extension for response fifth month	1255	2,160	2255	1,080	\$ -
Notice of Appeal	1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -
Request for Oral hearing	1403	1,000	2403	500	\$ -
Petitions under 1.17(f)	1462	400	2462	400	\$ -
Petitions under 1.17(g)	1463	200	2463	200	\$ -
Petitions under 1.17(h)	1464	130	2464	130	\$ -
Petition - public use proceeding	1451	1,510	2451	1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -
Utility Issue Fee	1501	1,400	2501	700	\$ -
Design Issue Fee	1502	800	2502	400	\$ -
Plant Issue Fee	1503	1,100	2503	550	\$ -
Reissue Issue Fee	1511	1,400	2511	700	\$ -
Publication Fee	1504	300	2504	300	\$ -
Statutory Disclaimer	1814	130	2814	65	\$ -

(cont.)

Description (cont.)

Description (cont.)	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Recording each Assignment	8021	40	8021	40	\$ -
Submission of IDS	1806	180	1806	180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801	395	\$ -
Filing Submission After Final	1809	790	2809	395	\$ -
Surcharge - late filing fee or oath	1051	130	2051	65	\$ -
Surcharge - late provisional fee	1052	50	2052	25	\$ -
Non-English Specification	1053	130	2053	130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807	50	\$ -
Request for Ex Parte Reexamination	1812	2,520	1812	2,520	\$ -
Request Pub. of SIR prior to action	1804	920	1804	920	\$ -
Request Pub. of SIR after action	1805	1,840	1805	1,840	\$ -
Each Add. Invention Examined	1810	790	2810	395	\$ -
Expedited Examination (Design)	1802	900	1802	900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370	\$ -
Certificate of Correction	1811	100	1811	100	\$ -
Maintenance Fees 3.5 years	1551	900	2551	450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552	1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553	1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554	65	\$ -
Other fee					\$ -

Additional Fee Subtotal 4 \$ -

METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No.

10-0233-COCH-0149-US1

For the above-identified deposit account, the Director is hereby authorized to:

☐ To charge the above-identified fee.

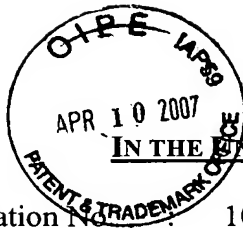
☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name Michael G. Verga Reg. No. 39,410
Firm Jagtiani + Gutttag
Address 10363-A Democracy Lane, Fairfax VA 22030
Telephone 703.591.2664 Fax 703.591.5907

Signature

10 April 2007
Date



Application No. : 10/536,714
Applicant : DEBRUYNE, ET AL.
Filed : AUGUST 9, 2006
Title : COCHLEAR IMPLANT DRUG DELIVERY DEVICE

Art Unit : 3738
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0149-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.51(d), 1.56, 1.97 and 1.98, this Information Disclosure Statement is submitted in the above-identified patent application. A listing of documents to be published on the face of any patent granted from this application is submitted herewith on Form PTO/SB/08. Any other documents or information submitted for consideration by the Examiner are listed in this paper. A copy of each foreign patent, or each publication or portion thereof listed or herein identified, is submitted herewith, except that a copy of any U.S. patent application identified herein or any patent, publication or other information listed herein cited or submitted in a prior application relied upon for an earlier filing date under 35 U.S.C. § 120 and identified below, is not submitted herewith.

CERTIFICATION

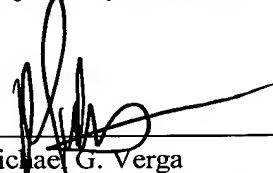
This Information Disclosure Statement is submitted within three months of (i) the filing date of the above-identified U.S. National Patent application, or (ii) before the first office action on the merits, or (iii) the date of entry into the U.S. National Stage of the above-identified International Application, or (iv) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-COCH-0149-US1**.

Application Number: 10/536,714

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael G. Verga', is written over a horizontal line.

Michael G. Verga
Registration Number 39,410
Customer Number: 22,506
Tel.: (703) 563-2005

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March 30, 2007

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Substitute for Form PTO-1449

APR 10 2007

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

Complete If Known

Applicant Number	10/536,714
Filing Date	August 9, 2006
First Named Inventor	Debruyne, Kristine
Art Unit	3738
Examiner Name	To be assigned
Attorney Docket Number	COCH-0149-US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,697,951	12-16-97	Harpstead, <i>et al.</i>	
		US- 5,929,041	07-27-99	Magal	
		US- 6,309,410	10-30-01	Kuzma, <i>et al.</i>	
		US- 4,532,930	08-06-85	Crosby, <i>et al.</i>	
		US- 5,531,780	07-02-96	Vachon	
		US- 5,755,474	05-26-98	Daly, <i>et al.</i>	
		US- 5,975,085	11-02-99	Rise	
		US- 6,038,484	03-14-00	Kuzma	
		US- 6,078,841	06-20-00	Kuzma	
		US- 6,125,302	09-26-00	Kuzma	
		US- 6,163,729	12-19-00	Kuzma	
		US- 6,304,787	10-16-01	Kuzma <i>et al.</i>	
		US- 5,066,278	11-19-91	Hirschberg, <i>et al.</i>	
		US- 5,653,742	08-05-97	Parker, <i>et al.</i>	
		US- 4,357,497	11-02-82	Hochmair, <i>et al.</i>	
		US- 5,458,631	10-17-95	Xavier, Ravi	
		US- 4,819,662	04-11-89	Heil, <i>et al.</i>	
		US- 6,038,482	03-14-00	Vachon, David J.	
		US- 6,259,951	07-10-01	Kuzma, <i>et al.</i>	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		WO 00/71063	11-30-00	Cochlear Limited		
		DE 100 320 000 A1 (English abstract)	01-26-01	Donovan		
		WO 99/55360 A1	11-04-99	Soykan		
		WO 02/32498 A1	04-25-02	Cochlear Limited		
		WO 02/41666 A1	05-23-02	Cochlear Limited		
		WO 97/10784	03-27-97	Cochlear Limited		
		WO 99/00067	01-07-99	The University of Iowa Research Foundation		
		WO 02/41666	05-23-02	Cochlear Limited		

Examiner's Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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Ω

1

Complete If Known

Applicant Number	10/536,714
Filing Date	August 8, 2006
First Named Inventor	Debruyne, Kristine
Art Unit	3738
Examiner Name	To be assigned
Attorney Docket Number	COCH-0149-US1

NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner's Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.